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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

AARON IRIBE, and
DANIEL LOPEZ,

Defendants.

CASE NO. 2:21-CR-189-DJC

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DATE: November 9, 2023

TIME: 9:00 a.m.

COURT: Hon. Daniel J. Calabretta

STIPULATION

1. By previous order, this matter was set for status on November 9, 2023.
2. By this stipulation, defendants now move to continue the status conference until December 14, 2023, at 9:00 a.m., and to exclude time between November 9, 2023, and December 14, 2023, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has represented that the discovery associated with this case includes approximately 148 pages of reports, search warrants, and other documents, as well as multiple audio and video recordings and the contents of seized cell phones. All of this discovery has been either produced directly to counsel and/or made available for inspection and copying.

b) On October 11, 2022, defendant Daniel Lopez made his initial appearance in this district and attorney Mark Reichel was appointed to represent him. ECF No. 59.

c) Counsel for defendants desire additional time to review this discovery, conduct factual investigation, evaluate the charges and potential defenses, consult with their respective clients, and otherwise prepare for trial.

d) In addition, counsel for defendant Lopez, Mr. Reichel, just completed a three-week jury trial in Placer County, and has a significant personal matter to attend to in early November.

e) Counsel for defendants believe that failure to grant the above-requested continuance would deny them the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

f) The government does not object to the continuance.

g) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

h) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of November 9, 2023 to December 14, 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

1 Dated: November 1, 2023

PHILLIP A. TALBERT
United States Attorney

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3 /s/ DAVID W. SPENCER
DAVID W. SPENCER
Assistant United States Attorney

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5 Dated: November 1, 2023

/s/ Jennifer Mouzis
Jennifer Mouzis
Counsel for Defendant
AARON IRIBE

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7 Dated: November 1, 2023

/s/ Mark Reichel
Mark Reichel
Counsel for Defendant
DANIEL LOPEZ

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12 **ORDER**

13 IT IS SO FOUND AND ORDERED this 1st day of November, 2023.

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15 /s/ Daniel J. Calabretta
16 THE HONORABLE DANIEL J. CALABRETTA
17 UNITED STATES DISTRICT JUDGE
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